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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/737,048	12/16/2003	Douglas G. Seymour	03-2-315	7677
7590	02/03/2009		EXAMINER	
William H. McNeill OSRAM SYLVANIA Inc. 100 Endicott Street Danvers, MA 01923			STERLING, AMY JO	
			ART UNIT	PAPER NUMBER
			3632	
			MAIL DATE	DELIVERY MODE
			02/03/2009	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/737,048	SEYMOUR ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	AMY J. STERLING	3632	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 06 January 2009.

2a) This action is **FINAL**.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-3 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-3 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.

5) Notice of Informal Patent Application

6) Other: \_\_\_\_\_.

## DETAILED ACTION

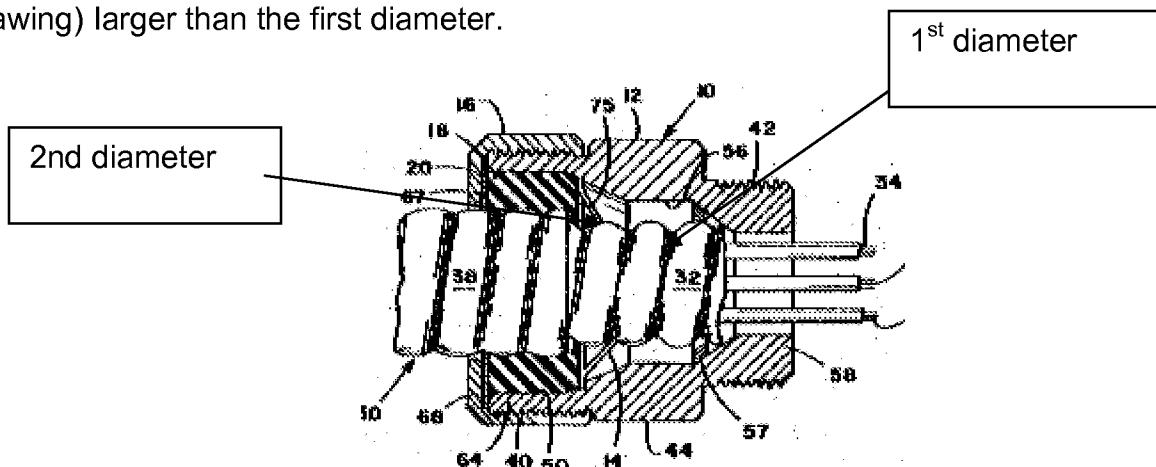
This is the **Final Office Action** for application number 10/737,048 BRACKET ASSEMBLY, filed on 12/16/03. Claims 1-3 are pending. This **Final Office Action** is in response to applicant's reply dated 1/6/09. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Applicant's amendment necessitated any new ground(s) of rejection presented in this Office action.

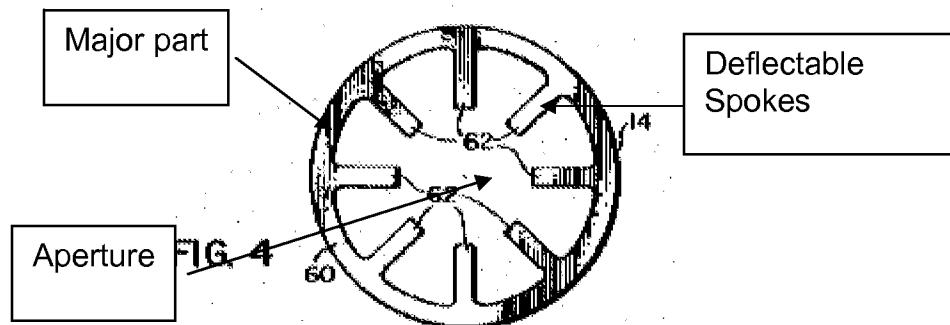
### ***Claim Rejections - 35 USC § 102***

Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent No. 4490576 to Bolante et al.

The patent to Bolante et al. teaches an assemblage having an electrical connector (30) having a metal body (See Abstract) with a tubular projection having a push-through portion having a first diameter (smaller part of 32, See marked drawing below) and an engaging portion having a second diameter (larger part of 32, See drawing) larger than the first diameter.



Bolante et al. also teaches a metal support (14) having a major part (60, See Drawing Below) that is substantially rigid and includes an aperture formed by a plurality of deflectable spokes (62), which diverge away from the plane of the major part of the support, the aperture having a center opening with a third diameter greater than the first diameter and less than the second diameter, whereby the tubular projection push-through portion slides through the aperture and the spokes engage the second diameter of the engaging portion and mount the electrical connector with the support, wherein a stop (38) associated with the second diameter limits the amount of movement possible for the support.



#### ***Response to Arguments***

The applicant has argued that the outer rim (60) cannot be construed as a “major part that is substantially rigid”. It is unclear as to why the applicant is arguing that this

outer rim does not reach this limitation. Until further explanation is provided, the arguments are considered non-persuasive and the claim limitation appears to be met by the Bolante et al. structure. (See Drawing above for specifics.)

***Conclusion***

**THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action. Any inquiry concerning this communication should be directed to Amy J. Sterling at telephone number 571-272-6823 or to Supervisor Allen Shriver at 571-272-6698 if the examiner cannot be reached. The fax machine number for the Technology center is 571-273-8300 (formal amendments) or 571-273-6823 (informal communications only). Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist at 571-272-3600.

/Amy J. Sterling/  
Primary Examiner  
2/3/09